

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

Michael Melvin, *et al*

Plaintiffs,

v.

Honorable James Francis Kenney, *et al*

Defendants.

Civil Action No. 20-3529

PLAINTIFFS' REPLY TO OPPOSITION TO MOTION TO VACATE JUDGMENT

Plaintiffs Michael Melvin, Dan Farrelly, Brion Milligan, Mark Palma, Robert Bannan, Steven Hartzell, Jesus Cruz, and Mario Bocelli (collectively "Plaintiffs") by and through counsel, respectfully request a hearing on their Motion to Vacate Entry of Judgment, in order that they may provide oral argument on the compelling reasons why this case should respectfully proceed on the merits and not be dismissed for an inadvertent scheduling error during a period when communication between Plaintiffs' counsel and their supporting staff was impaired by the worsening Covid-19 pandemic.

On December 9, 2020, Plaintiffs filed their proposed opposition to the Defendant motion to dismiss to show their good faith, in anticipation that this honorable Court would consider vacating its prior dismissal order and allow this case to proceed.

No prejudice would result to the Defendants should the Court grant Plaintiffs' motion to set-aside the order of November 25, 2020, as it is in the interests of all concerned, given the vital constitutional and other important issues raised by Plaintiffs in their complaint, involving serious violations of the constitutional and statutory rights of these former law enforcement officers who risked their lives on a daily basis to protect the good citizens of Philadelphia, that this case be

adjudicated on the merits, in the interest of due process, equal protection, justice and simply fundamental fairness.

Dated: December 14, 2020

Respectfully submitted,

/s/ Andrew Teitelman
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Of Counsel

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of December, 2020, a true copy of the foregoing was filed via ECF and served to all counsel of record through the Court's ECF system.

/s/ Andrew Teitelman